

**ORIGINAL**

**IN THE DISTRICT COURT IN AND FOR PITTSBURG COUNTY,  
STATE OF OKLAHOMA**

RETURNED  
IN DISTRICT COURT  
PITTSBURG COUNTY, OKLA

**HUGH HEIL,****Plaintiff,****- vs -****CIRCLE K STORE #4016 and  
CIRCLE K STORES, INC.****Defendant.**

APR 30 2021

BY *PS* PAM SMITH  
DEPUTY

Case No.

*CJ-21-69***PETITION**

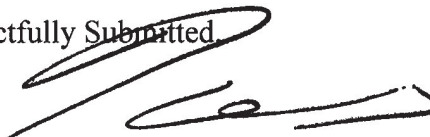
**COMES NOW** Plaintiff, and for his claim against Defendant(s) alleges and states as follows:

1. Plaintiff, Hugh Heil, is a resident of Pittsburg County, Oklahoma.
2. Defendant(s), Circle K Store #4016 and Circle K Stores, Inc. at all times relevant was a foreign for profit business corporation, licensed to do business in the state of Oklahoma.
3. At all times mentioned herein, Defendant(s) were acting through their agents, servants, and employees operating within the scope and course of their employment with Defendant(s) and which are known to Defendant(s) and unknown to Plaintiff.
4. On March 3, 2020, Plaintiff was an invitee of Defendant(s) at a Circle K Store located at 526 East Wyandotte Avenue McAlester, Oklahoma when he stepped on a small water meter cover in the parking lot which was not locked in place. The water meter cover slid out causing the Plaintiff to fall. Plaintiff was injured in the fall.
5. The incident and resulting injuries to Plaintiff were caused solely by the negligence of Defendant(s) and its employees without any contributory negligence on the part of Plaintiff.

6. The negligence of Defendant(s) at the above time and place, among other things, consisted of the following:
  - a. Defendant(s) failed to provide safe ingress and egress to invitees of Defendant(s), including Plaintiff;
  - b. Defendant(s) were negligent in failing to inspect, discover, and warn of the existence of the dangerous condition;
  - c. Defendant(s) failed to keep Defendant(s) property in a reasonable safe condition;
  - d. Defendant(s) failed to properly inspect Defendant(s) property in a properly and timely manner;
  - e. Defendant(s) failed to warn or inform its invitees, including Plaintiff, of the dangerous condition in areas where Defendant(s) knew or should have known that invitees, including Plaintiff, would reasonably be expected to walk; and
  - f. Defendant(s) negligently allowed to remain on the property THE water meter cover that was not properly secured of which Defendant(s) knew or should have known could cause invitees, including Plaintiff, to trip and/or slip and fall and result in personal injuries.
7. Defendant(s) knew or should have known that there was an unsecure water meter cover on the property which posed a risk to customers in that they may trip and/or slip and fall.
8. As a result of the Defendant(s)' negligence, Plaintiff incurred and will incur medical expenses, suffered and will suffer physical and mental pain, suffered and will suffer physical impairments and disabilities, and was otherwise injured and damaged, each in the amount in excess of \$75,000.00.

**WHEREFORE**, Plaintiff prays for judgment against Defendant(s) in an amount in excess of \$75,000.00.

Respectfully Submitted



By: \_\_\_\_\_

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**ATTORNEY'S LIEN CLAIM**  
**JURY TRIAL RESERVED**